

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re: Application of | LUBATSCHOWSKI et al. | Confirmation No. | 8168 |
| Application No. | 10/764,311 | Group: | 3769 |
| Filing Date: | January 23, 2004 | Examiner: | FARAH, AHMED M |
| Docket No. | 3968-106 | | |

For: CONTROL DEVICE FOR A SURGICAL LASER

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO/SB/08A, and which the Examiner may deem relevant to patentability of the claims of the above-identified application. In accordance with 37 C.F.R. § 1.98(a)(2)(ii) copies of the U.S. patents and U.S. patent application publications are not enclosed.

The documents listed on the attached Form PTO/SB/08A were cited in an Office Action prepared by the Japanese Patent Office in a counterpart application. Copies of all foreign references and their English translation abstracts are enclosed.

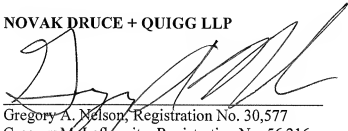
The submission of the listed documents is not intended as an admission that such documents constitute prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove the listed documents as competent references against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with MPEP §609.

Each item of information contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to this filing. Therefore, it is respectfully submitted that no fee is required for consideration of this information. However, in the event any fee is deemed necessary, the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 14-1437.

Respectfully submitted,

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